

Newport Town Council  
Meeting Minutes  
September 19, 2019

Pledge of Allegiance.

Meeting was called to order at 7:00 pm by Mayor Michael Spencer and he announced that the meeting was in compliance with the Delaware Open Meeting Act.

Attendance: Mayor Michael Spencer, Vice Mayor John Joswick, Town Manager Wendy King, Police Chief Mark Wohner, Commissioner Michele MacDonald, Commissioner CarolAnn Gretz, Commissioner Flo Czerwinski. Solicitor Brandon Harper was sitting in for Solicitor Chris Griffiths who was absent.

Minutes from the meeting of August 15, 2019, were approved via motion by Mayor Spencer and seconded by Vice Mayor Joswick. All ayes.

Public Comment: Joe Stagliano, Stonehurst, wanted to know why the town was considering adding a bike/walk path instead of adding speed bumps. Mayor Spencer advised that this was a state venture and would not be funded by the town. Mr. Stagliano stated that he witnessed 73 cars running the stop sign at N. Mary and Christian Street.

Tim Sawyer - Barbacane Thornton. 2018 audit results. The opinion was unmodified and clean. Commissioner MacDonald wanted clarification on how much vacation time an employee was allowed to carry as it appeared as employees had three months on the books. *(\*To clarify that point, according to the town's personnel policy, police officers are only supposed to carry 240 vacation hours and 480 comp hours. Administrative employees are allowed to carry 80 vacation hours - comp time is not really accumulated on the admin side. The hours are noted on the audit as compensated absences and employees have been urged to use their allotted time so this should not be a comment on future audits).* Mayor Spencer noted the liability from funds owed to the state and indicated that it was the town's intention to clear the deficits and are exploring possible ways to rid the debt.

Correspondence - none

Town Manager's Report - Board of Adjustment ordinance is on the agenda for a second reading/approval with minor changes, property maintenance ordinance, meeting with other city managers regarding establishing a supervisory training program, human resources training workshop. Reviewed quote and scope of work regarding paving on E. Ayre street and updated scope of work, Waste Management pricing increase effective January, 2020 - cost will double. Budget notes. Apparel for council.

Frank Walker asked about drainage problems on S. Market. DelDOT will be asked to evaluate the issues on the water coming off of 141 under the bridge. Michelle asked about ADA design versus ADA details and how that is incorporated in the quote. Commissioner Gretz believed that the water issue should be resolved prior to agreeing to commence paving.

Police Chief's Report - Monthly departmental statistics were presented. Chief Wohner advised that on the first day of school, the department and Mayor Spencer went to Richey to hand out string bags, pencils, coloring books/crayons, rulers and erasers to each student. Boys and Girls Club will be doing a Trunk & Treat

for Halloween and the department will participate. He advised his staff of the issues in Stonehurst and they are making an effort to be more visible. He thanked Mr. Stagliano for his assistance and to be careful. Commissioner Gretz noticed that coming down Augustine by Richey is scary. The parents are lining up two cars by two cars heading into Richey and kids are crossing the street without a crossing guard. There are also about ten kids trying to walk to Richey from Market Street and suggested that the dayshift officer assist by appearance to calm traffic. She has witnessed many big trucks with 80-foot trailers coming up on the sidewalks. They are probably going to the steel fabrication company. Busses don't seem to be much of an issue any longer.

Alderman's Report - \$36,725

Maintenance Report was read with no questions.

Code Enforcement - Apex is building their new building, USIG Carpet moved locations within town and Code Enforcement Officer Walker reiterated the fact that they needed to be sure that they were being clean. The lawyer next door to 309 E. Justis Street asked about cutting down bushes there as the bushes impeded vision at the end of the drive. For safety purposes, that is allowed within the code. Two other individuals took it upon themselves to cut the grass and clean up the property.

Solicitor - Brandon Harper introduced himself. He was filling in for Solicitor Griffiths. He will be handling the ordinances.

Commissioners - Vice Mayor Joswick was noting the sale of 1515 E. Ayre Street and suggested that the town un-annex the property. Mayor Spencer advised he had talked to the county and would be following up with the state planning office. Commissioner Gretz asked about the fall cleanup date and the date was not confirmed at the time of the meeting.

Mayor's Report - Attended the DFIT meeting and brought back annual information, attended a WILMAPCO council meeting. Waste Management meeting. Commissioner Gretz asked about the demolished properties that were no longer creating trash to be hauled. Tipping fees will increase because recycling fees will increase. Commissioner Gretz asked if the increase would still be covered in the taxes and Mayor Spencer advised that it would, but if a tax increase was called for, it would be because of expense increases. Frank Walker asked if they are supposed to be supplying trash receptacles because the code states trash must be in a proper container. Waste Management provides recycling totes and bags can be used.

Old Business - 2019 - 002 - 2<sup>nd</sup> Reading. Ordinance to Reconstitute the Composition of the Board of Adjustment. There were minor changes made. The time frame in which to appoint a replacement was added to read 60 days. The effective date will be January 1, 2019. Mayor Spencer made a motion to accept the ordinance. Commissioner MacDonald seconded. Public comment was opened and closed. Roll call vote - all ayes.

2019 - 001 1<sup>st</sup> Reading - Property Maintenance ordinance. Changes included were minimum fine, additional minimum fine. Town Manager King voiced concern about a fine being billed each day. Vice Mayor Joswick asked about adding a fee to the property taxes as separate line item. Solicitor Harper will review for feasibility. Mayor Spencer made a motion to accept 2019-001. Vice Mayor Joswick seconded. Commissioner MacDonald needed clarification about the word "connection" and should it be "correction". Commissioner MacDonald wanted to know if there was wiggle room in fines billed and the alderman has discretion. Commissioner Gretz wanted to know the timeframe to respond and process of notification. Solicitor Harper clarified that within

the ordinance. Roll call vote - all eyes. Second reading with changes next month. There was additional discussion regarding the daily compliance fee. Most are not in favor of a daily fee.

Mayor Spencer made a motion to adjourn. Commissioner Czerwinski seconded.

Meeting adjourned at 8:09 pm.